



STATE OF NEVADA
STATE CONSERVATION COMMISSION
901 South Stewart Street, Suite 5004
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Phone (775) 684-2760 - Fax (775) 684-2761

MINUTES
STATE CONSERVATION COMMISSION

1:30pm
Wednesday, April 23, 2008

901 S. Stewart Street, Carson City, NV 89701
Second Floor - Water Resources Conference/Hearing Room
Video Conferenced with:
University of Nevada Cooperative Extension, Clark County
8050 S. Maryland Pkwy., Suite 100, Las Vegas, NV 89123-0855
Phone: (702) 222-3130

Notice was hereby given that the Nevada State Conservation Commission held a public meeting on Wednesday, April 23, 2008 in Carson City, Nevada and video conferenced to Las Vegas, Nevada. The State Conservation Commission considered and acted on the following items on April 23, 2008 at 1:30pm.

April 23, 2008 1:30pm:

I. CALL TO ORDER

A. Introductions – **Commission Members in attendance:** Chairman Keith Whipple, Vance Vesco, Eric Rieman, Chris Freeman, Judy Currier (via video) and Donna Lamm (via video). Absent: Joe Sicking, Ed Foster, and Dr. Rangesan Narayanan.

Others in attendance: Pam Wilcox, Executive Secretary; Jim Lawrence, Deputy Administrator; Nhu Nguyen, Deputy Attorney General; Colleen Hemingway, Deputy Attorney General; Kelly McGowan, Division of CDs; Sandi Gotta, Division of CDs; Curtis Tarver, NRCS; Brian Thomas, Duck Valley Conservation District.

II. REVIEW AND APPROVAL OF AGENDA - *ACTION* Commissioner Freeman made a motion to remove Item #9B from the agenda as the commission has no jurisdiction for determination, seconded by Commissioner Vesco and motion was approved. Commissioner Freeman moved to accept the agenda as amended, seconded by Commissioner Rieman and board approved.

III. REVIEW, AMENDMENT AND APPROVAL OF MINUTES - *ACTION*

A. Approval of Minutes November 5 and 7, 2007- Commissioner Freeman moved to approve the minutes as submitted with no corrections, Commissioner Rieman seconded the motion, and the board approved.

IV. PUBLIC COMMENTS

A. Three minute time limit per person, limited to items not on the agenda – None.

V. DIVISION REPORTS TO THE COMMISSION

A. Status of the Division of Conservation Districts

1. General – Pamela B. Wilcox and Jim Lawrence – Pam Wilcox updated the commission on the current budget activities. There have been state-wide concerns over a lack of income and

the Governor has issued an order to cut current budgets. The Division of Conservation Districts budget was cut in the categories of Attorney General Tort premiums, anticipated vacancy savings due to the Administrative Assistant position being vacant, and a 5% cut of the AB629 grants to districts. The rest of the year looks very tight and staff is watching very closely. There may be more reductions for fiscal year 2009. Staff is also beginning the process of preparing the budget for fiscal years 2010 and 2011, however instructions have not come out yet, so direction remains vague.

Jim Lawrence has been selected to replace Pam Wilcox as Administrator of State Lands when she retires in June. Jim will also serve as the Acting Administrator of Conservation Districts and the Executive Secretary to the Conservation Commission. Jim expressed that he feels honored and privileged to have been selected and is excited to work with the commission and the division.

2. General/Correspondence – Kelly McGowan & Sandi Gotta – Kelly reviewed the Good Standing status report. Staff will be focusing on 8 districts to be sure that they all meet the 3 meeting requirement. Pam Wilcox commented on the obvious improvement that districts have made in their efforts to meet deadlines.

Sandi reviewed a project with Starr Valley Conservation District. In an effort to implement the statewide MOU with EPA, NRCS, NDEP, and others, partners met with Starr Valley Conservation District to discuss a possible project on the Marys River. The CD would be the local entity providing recommendations and input while the partners assist with technical assistance and funding.

Kelly discussed assisting the Paradise/Sonoma Conservation District in applying for a NDEP 319 grant which was successful in being selected for funding. The grant will improve water quality through the implementation of a variety of grade stabilization structures, vegetation restoration, stream bank stabilization and possibly some riparian fencing on the Cottonwood and Martin Creeks. Each is a tributary to the Humboldt River.

VI. REPORTS TO THE COMMISSION

This section is reserved for partnering agency personnel to update the commission on any news or events of importance. Limit 5 minutes per report. ***DISCUSSION***

NRCS – Mr. Curtis Tarver reported that he is the current Acting State Conservationist for Nevada while Richard Vigil is on duty in Washington D.C. Mr. Tarver is permanently stationed in northern California so he commutes from California to Nevada. The Plant Materials Center has a vacancy announcement out for a PMC Manager in Fallon. NRCS is happy to announce that they will be doing a Contribution Agreement program with Conservation Districts. These agreements will be \$5,000 - \$10,000 with a 50% match (of which 25% can be in-kind). Mr. Tarver does not have the total amount of funding available at this time but will have information out as soon as possible. Initially, funding is being looked at to be used for restoration projects, weed eradication projects, etc. More information will follow as soon as it becomes available.

NvACD - Mr. Freeman updated the Commission on behalf of President Patsy Tomera who was not present. Mr. Freeman reminded the Division that if they needed funding to print newsletters, they could request funding from NvACD in writing. NvACD also would like a place to store some of their historical records.

Mr. Freeman also reported that the NACD Legislative Conference will be held in Washington D.C. on July 19-23. The NACD meeting held in Reno in February was a success as NACD reported that they ended up in the black financially due to good attendance. Mr. Freeman also reminded attendees that Range Camp sign-ups are available and he encouraged districts to sponsor at least one student or make a monetary donation to the camp.

VII. PUBLIC HEARING AND DETERMINATION OF STATUS

Chairman Keith Whipple called the Public Hearing to Order -

A. Review and approve submittal of reports and documents from Duck Valley Conservation District - ***ACTION***

1. The Commission will hear and consider testimony from DVCD members and members of the public. The Commission will review submitted documentation from Duck Valley Conservation District -

The Commission reviewed their past actions of previous meetings regarding findings of good standing for conservation districts. A table was reviewed that showed reports received by districts, dates received, reports required to be in good standing and other reports. Executive Secretary, Pam Wilcox also reminded the commission of their decision to no longer accept late reports from conservation districts as of July 1, 2007 per the guidance of the deputy attorney general. She also reviewed the past actions of the commission regarding Duck Valley Conservation District including copies of their submitted agendas, minutes, and required reports along with dates of submittal. At the last commission meeting, the Duck Valley Conservation District had not submitted reports as had been assured would be submitted, yet no action had been taken.

Brian Thomas, Supervisor on the Duck Valley Conservation District was present and requested to speak on behalf of the DVCD. He respectfully told the Commission that there had been problems with the DVCD board and misunderstandings between their support staff and hired staff as well. Assurances by staff of reports being turned in were found out to have not been turned in. The board had taken action by terminating the agreement with their contracted employee and had lost the support of their NRCS support staff. They were in the process of looking for another contracted employee. They are also looking at reorganizing the responsibilities of the supervisors and officers of the board.

Mr. Thomas expressed his appreciation for the past support of the Commission, the Division of Conservation Districts, NvACD and NACD. They are the first Native American conservation district in the nation and Mr. Thomas has been active talking at various meetings across the U.S. promoting conservation districts and the development of CD programs. He is saddened at the current status of DVCD and expressed his commitment to future support to keeping the DVCD in good standing and meeting required deadlines of reports. Chairman Whipple asked about the districts various conservation programs and Mr. Thomas reviewed their weed programs including weed eradication with goats, education programs with schools, greenhouse programs and others programs with various partners.

New reports that were submitted by DVCD were provided to the commission for their review. Mr. Freeman asked Mr. McGowan if he believed that the documents had been received that were required to be considered to be in Good Standing by DVCD for FY07-08. Mr. McGowan replied that he was comfortable with the documents received as required.

B. Finding of 'Good Standing Status' of Duck Valley Conservation District (NAC 548.090 (1)) - *ACTION*

Commissioner Freeman moved to find Duck Valley Conservation District in Good Standing with the documents submitted to date, seconded by Vance and commission approved.

C. Finding of eligibility to receive grant funding for Duck Valley Conservation District - *ACTION*

Being found in Good Standing, the Duck Valley Conservation District is now eligible to receive the \$5,000 in grant funding. Ms. Wilcox reminded Mr. Thomas that if they wish to receive the additional funding of \$8,482 from AB629, they will need to amend their budget by a board action, submit it to the commission for approval and be in good standing at the time of submittal.

Commissioner Freeman moved to find the Duck Valley Conservation District eligible to receive grant funding, seconded by Commissioner Rieman and Board approved.

D. Award the remaining \$5,000 grant funds to eligible conservation districts as per NRS 548.178 and 548.130. *ACTION*

Commissioner Freeman moved to award \$5,000 in grant funding to Duck Valley Conservation District, seconded by Commissioner Vesco and Board approved.

The Commission thanked Mr. Thomas for his efforts in trying to resolve this problem. They thanked him for taking the time to drive a long way to attend the meeting. The Commission also thanked him for his assistance with NACD. Mr. Thomas thanked the Commission for their patience and assistance and looks forward to a productive future.

VIII. OLD BUSINESS

A. Approval of amended Conservation District budgets as per NAC 548.090, 548.100, 548.110 and 548.120 - ***ACTION***

1. The Commission reviewed and took action on amendments to conservation district budgets for FY 2008. - ***ACTION***

The following conservation districts submitted amended budgets to receive additional funding that was received from Assembly Bill #629.

White Pine Conservation District - \$8,482.14 – Judy moved, Vance 2nd and board approved the amended budget.

Vya Conservation District - \$2,500.00 - Chris moved, Judy seconded and board approved the amended budget.

Quinn River Conservation District – 8,482.14 Chris moved, Judy 2nd and board approved the amended budget.

B. Award funding from AB629 to Conservation Districts with approved budgets requesting funding. - ***ACTION***

1. The Commission awarded grant funds from AB629 to eligible districts - ***ACTION***

The following conservation districts submitted amended budgets to receive new additional funding that was received from Assembly Bill #629.

White Pine Conservation District - \$8,482.14 – Chris moved, Vance 2nd, and board approved to award the additional funding.

Vya Conservation District - \$2,500.00 - Chris moved, Vance 2nd board approved to award the additional funding.

Quinn River Conservation District – \$8,482.14 Chris moved, Eric 2nd, and board approved to award the additional funding.

C. Consideration of filing a request with Director, Allen Biaggi, to have a budget prepared to include a full time Administrator position for the Division of Conservation Districts - ***ACTION***

Pam Wilcox informed the commission that the Division is in the process of developing the budget for FY2010-2011. She informed the commission that Allen Biaggi was sorry he was not able to attend the meeting, but he would be flying home from the east coast today. He wanted to make it clear that he had made a commitment to Chris Freeman at the meeting in Winnemucca that it was his intention to submit a request for a full time Administrator for the Division of Conservation Districts for FY2010-2011 at the request of the Commission. Given the current budget concerns (a \$900 million shortfall this fiscal year and possibly more in the future), he had doubts of its approval by either the Governor or the Legislature.

After discussion, the Commission agreed it was in their best interest to perform their duties and support the division to formally request support of an administrator position although they had never formally done this before. Commissioner Freeman moved to formally request Director Biaggi request a full time Administrator position for the Division of Conservation Districts in the FY2010-2011 budget, seconded by Commissioner Vesco and board approved.

IX. NEW BUSINESS

A. Recognition of Howard Glancy's service to the Commission – Keith Whipple - ***ACTION***

Chairman Whipple brought a letter to the Commission for their approval. The letter thanks Howard Glancy for his service on the State Conservation Commission. Mr. Glancy served on the commission for four years and only missed one meeting. Mr. Glancy's service on the commission was invaluable and much appreciated. Commissioner Freeman moved, Commissioner Currier seconded, and Board approved sending the letter to Howard with their thanks.

B. Determination of whether or not term limits apply to district supervisors – Eric Rieman - ***ACTION*** Removed by Item II above.

X. STAFF ITEMS – Division Staff Comments

A. Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions proposed for action at future meetings - None.

XI. COMMISSIONER ITEMS

A. Comments, Reports, Items to be included on the next agenda –

Commissioner Currier commented on an article that was printed in the Las Vegas Review Journal on the wild horses on the Virginia Range that were starving. She stated that she was concerned that the Department of Agriculture's statement that they refused to feed them concerned her. She would like to see the item on the next agenda to see if a solution could be developed. Ms. Wilcox added that Tony Lesperance, the Director of the Department of Agriculture is a member of this Commission and hopefully he or Ed Foster will attend the next meeting to address the issue. Sandi added that she talked to Mr. Foster about the concerns and that he will call and talk to Commissioner Currier personally.

Commissioner Lamm reported that with the additional funds from AB629, the Southern Nye County Conservation District is sponsoring field trips for 3rd, 4th and 5th graders to go to Ash Meadows National Wildlife Refuge field trips. She is putting together a Powerpoint presentation that will be given at the Devils Hole conference in May.

XII. PUBLIC COMMENTS

A. Three-minute time limit per person, limited to items not on the agenda - None.

XIII. NEXT COMMISSION MEETING - *ACTION*

A. Set time and place - Thursday June 26th at 10:00am in Carson City so that the Commission can review submitted Budgets and Workplans. June is usually a long meeting so that they can all be reviewed.

B. Agenda Items –

- 1 – Department/Division Budget including Administrator position
- 2 – Wild Horses

XIV. ADJOURNMENT – *ACTION*

A. Meeting was adjourned at 3:23pm.